

The applicant shall evaluate through an engineering report the existing telecommunication facilities and structures 80 feet or greater in height within a one (1) mile radius of the proposed facility when located in a designated Service District of the Comprehensive Plan.

Elsewhere in the County, the applicant shall evaluate through an engineering report the facility and structure locations, 80 feet or greater in height, within a two (2) mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining site feasibility.

There are no telecommunications facilities or structures, 80 feet or greater in height, within a two (2) mile radius of the proposed monopole.

Collocation may be determined not to be feasible in the following situations:

- (a) The planned equipment would exceed the structural capability of existing and approved telecommunications facilities, considering existing planned use of those facilities, and such facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;*
- (b) The planned equipment will cause interference with other existing or planned equipment for that telecommunication facility, and that interference cannot be prevented at a reasonable cost;*
- (c) Existing or approved telecommunication facilities do not have space on which planned equipment can be placed so as to provide adequate service; and*
- (d) Existing and approved telecommunication facilities will not provide adequate signal coverage.*

The only other telecommunications facility in the vicinity of Route 29 is the NCT lattice structure south of Bealeton along Route 17. However, since the Bealeton lattice structure is 2.05 miles directly east of Route 29 and the proposed lattice structure, it is too distant to fill the gap in coverage along Route 29 between the NCT Opal monopole and the SBA lattice structure. The only other structure in that vicinity is the Town of Remington ground storage water tank, which is located 1.6 miles south of the proposed CWS site. Since this ground storage water tank is only 60 feet high, it is too short for co-location.

- (4) In addition to those entitled to notice under the provisions of the Zoning Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those*

Properties whose owners are entitled to notice under Section 13-111, shall be provided with the same written notice. The applicant is also encouraged to meet with community and home owner associations and groups in the area.

CWS will comply with said notice requirements.

- (5) *The carriers shall provide a copy of Form 600 on file with the FCC, and its FCC license (Radio Authorization Form).*

Not applicable, since CWS is not itself a wireless service provider.

- (6) *The application shall show relationship to other personal wireless service facilities, including those existing and proposed by the carrier/applicant. The nearest existing sites for other carriers in at least four directions (north, south, east and west), as well as those proposed by other carriers on file in Fauquier County and with VDOT.*

CWS is not a wireless service provider; rather, it develops the infrastructure on which wireless service providers lease space. The nearest existing telecommunications structures are the NCT Opal monopole located 3.84 miles north of the proposed monopole, the SBA lattice structure located 3.16 miles to the south, and the Bealeton lattice structure located 2.05 miles to the east.

11-103 Landscaping and Buffer Requirements. *The following landscaping and buffering requirements shall apply to all telecommunication facilities.*

1. *Security Fencing. Facilities shall be enclosed by security fencing not less than six (6) feet in height.*

The CWS facility will be located within a secured compound surrounded by fence eight (8) feet in height.

2. *Landscaping. The telecommunications facility shall be landscaped with a mix of hedge and trees to screen internal communications buildings from adjacent properties. The standard buffer should consist of an area 10 feet in width outside of the fenced area. Plantings will comply with Zoning Ordinance landscaping requirements.*

The proposed structure will be located in the midst of mature woods. A 500 foot buffer of trees will camouflage the structure from the nearest off-site residential units, which are in the 7900 block of Nokesville Road. A 100-foot buffer of trees will camouflage the structure from the golf driving range and the residential unit located on the parcel in question. (See Exhibit E, Site Plan) Since the existing grove of trees provides adequate buffering and camouflaging, CWS requests that the Board of Supervisors not require additional landscaping.

3. *Existing mature tree growth and natural landforms on site shall be preserved to the maximum extent possible. In special exception applications, the Board of Supervisors may determine that the natural growth surrounding the property perimeter may be sufficient as the required buffer.*

See answer to 2, above.

4. *Existing trees within 200 feet of the telecommunications tower or monopole shall not be removed, except as authorized to permit construction of the facility and installation of vehicular access.*

CWS will remove only those trees as authorized to permit construction.

11-104 Modifications. *Buffer yard requirements may be waived or modified by the Zoning Administrator in any of the following circumstances, excluding approved special exception and special permit conditions. The Zoning Administrator may attach conditions to any waiver or modification in order to assure that the results of the waiver or modification will be in accordance with the purpose and intent of this Section.*

1. *The Zoning Administrator may waive, reduce and/or modify buffer yard requirements if demonstrated that the topography of the lot providing buffer yard and the lot being protected is such that the required buffer yard would not be effective.*
2. *The Zoning Administrator may waive, reduce and/or modify buffer yard requirements for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.*

Not applicable.

11-105 Maintenance.

1. *The owner, or his agent, shall be responsible for the maintenance, repair and replacement of all required landscape materials and screening and buffering as may be required by the provisions of this Section.*

CWS will comply will all requirements as to the maintenance, repair and replacement of all required landscape materials and screening and buffering.

2. *All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris.*

CWS will comply will all requirements as to the maintenance of all plant material.

3. *Fences and walls shall be maintained in good repair. Openings within the barriers may be required by the Zoning Administrator for accessibility to an area for necessary maintenance.*

CWS will comply with all requirements as to the construction and maintenance of the fences and walls.

11-106 Bond/Cash Deposit Requirements. *In lieu of installation of the landscape materials prior to Occupancy, the applicant may post a bond acceptable to the County, conditioned upon satisfactory installation of the landscaping proposed in the landscape plan.*

No response required.

11-107 Removal of Abandoned Antennas and Towers.

1. *Annual Report. The owner of each antenna or tower shall submit a report to the Zoning Administrator once a year, no later than July 1. The report shall state the current user status of the tower.*

CWS shall submit the required report once a year, no later than July 1.

2. *Antenna and Tower Removal. Any antenna or tower shall be disassembled and removed from the site within ninety (90) days of the discontinuance of the use of the tower for wireless telecommunications purposes. Removal includes the removal of the antennas, telecommunications towers, fence footers, underground cables and support buildings. The buildings and foundation may remain with the landowner's approval. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.*

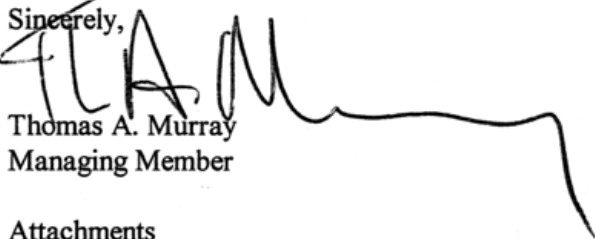
CWS will comply with the removal requirements within ninety (90) days of the discontinuance of the use of the tower for wireless telecommunications.

V. Conclusion

CWS submits that the proposed use of Parcel 9459 for a telecommunications lattice structure is consistent with the standards for the issuance of Special Exception, as set forth in the Fauquier County Zoning Ordinance. The proposed lattice structure will not be detrimental to the public welfare or injurious to property or to improvements in the local community. It will not adversely affect the health or safety of persons residing in or working in the neighborhood. The proposed lattice structure will provide the basis for improved wireless communications services to the community in a section of Fauquier County that presently has poor or no service, while furthering the County's goal of minimizing the visual impact of telecommunications structures through co-location.

In light of the above justification statement and of the supporting materials, CWS respectfully requests that the Planning Commission recommend a Special Exception for the proposed use of constructing the telecommunications structure discussed herein.

Sincerely,



Thomas A. Murray
Managing Member

Attachments